



Journal of the House

State of Indiana

122nd General Assembly

First Regular Session

Twenty-First Day

Thursday Morning

March 4, 2021

The invocation was offered by Chaplain Matt Barnes of the Public Servant's Prayer.

The House convened at 10:30 a.m. with Speaker Todd M. Huston in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Abbott.

The Speaker ordered the roll of the House to be called:

Abbott	Karickhoff
Andrade	King
Austin	Klinker
Aylesworth <input type="checkbox"/>	Lauer
Baird	Ledbetter
Barrett	Lehe
Bartels <input type="checkbox"/>	Lehman
Bartlett	Leonard
Bauer	Lindauer
Behning	Lucas
Borders	Lyness
Boy	Manning <input type="checkbox"/>
Brown, T.	May
Campbell	Mayfield <input type="checkbox"/>
Carbaugh <input type="checkbox"/>	McNamara
Cherry	Miller <input type="checkbox"/>
Clere	Moed <input type="checkbox"/>
Cook	Morris
Davis	Morrison
Davisson	Moseley <input type="checkbox"/>
DeVon	Negele <input type="checkbox"/>
DeLaney	Nisly
Dvorak <input type="checkbox"/>	Olthoff
Eberhart <input type="checkbox"/>	Pack
Ellington	Payne
Engleman	Pfaff
Errington	Pierce
Fleming	Porter
Frye <input type="checkbox"/>	Prescott
GiaQuinta	Pressel
Goodrich	Pryor
Gore <input type="checkbox"/>	Rowray
Gutwein	Saunders
Hamilton	Schaibley
Harris	Shackleford
Hatcher	Slager
Hatfield <input type="checkbox"/>	Smaltz
Heaton	Smith, V.
Heine	Snow
Hostettler	Soliday
Jackson <input type="checkbox"/>	Speedy <input type="checkbox"/>
Jacob	Steuerwald
Jeter	Sullivan
Johnson	Summers
Jordan	Teshka
Judy	Thompson

Torr
VanNatter
Vermilion
Wesco

J. Young
Zent
Ziemke
Mr. Speaker

Roll Call 239: 84 present; 16 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, March 8, 2021, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 80, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, after line 37, begin a new paragraph and insert:

"SECTION 10. IC 6-1.1-3-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 8. (a) The owner of a vending machine shall place on the face of the machine an ~~identification~~ **identification** device which accurately reveals the owner's name and address, and ~~he the~~ **owner** shall include the machine in ~~his the owner's~~ annual personal property return.

(b) For purposes of this section, the term "vending machine" means a machine which dispenses goods, wares, or merchandise when a coin is deposited in it and which by automatic action can physically deliver goods, wares, or merchandise to the depositor of the coin.

SECTION 11. IC 6-1.1-27-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. At each semi-annual meeting required under section 1 of this chapter, the county treasurer shall make a settlement with the county auditor for the amount of taxes and special assessments which the county treasurer has collected. At each semi-annual meeting, the county treasurer shall also certify to the county auditor, under oath and on the form prescribed by the state board of accounts, the correctness of:

(1) the credits for cash collected for each taxing unit appearing on the tax ~~duplicate~~; **duplicate**; and

(2) any other amounts collected by the county treasurer as required by law.

SECTION 12. IC 7.1-2-6-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. Public Nuisance: Acts. An act or practice, or manner of conducting a business by a permittee contrary to a provision of this title or to a rule or regulation of the commission, or by a person not a permittee contrary to a provision of this title, shall also constitute a public nuisance if done, carried on, or permitted to take place in a building or upon a premises in or on which an alcoholic beverage is possessed, kept, stored, or consumed, or upon a vehicle, or conveyance in or on which an alcoholic

beverage is being kept, stored, consumed, conveyed, transported, or imported into this state contrary to this title, or ~~contrary~~ **contrary** to a rule or regulation of the commission.

SECTION 13. IC 8-2-15-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 13. (a) A person who keeps, maintains, works, or runs a ferry without being licensed or authorized according to this chapter commits a Class C infraction.

(b) Each day of violation of subsection (a) ~~of this section~~ constitutes a separate offense.

SECTION 14. IC 32-34-3-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) Except for money related to child support, the attorney general may collect all money that remains in the office of a clerk for at least five (5) years after being distributable without being claimed by the person entitled to the money.

(b) The attorney general may collect all money related to child support that remains in the office of a clerk for at least ten (10) years after being distributable without being claimed by the person entitled to the money.

(c) Clerks shall deliver the money described in subsections (a) and (b) to the attorney general upon demand, and the attorney general shall:

(1) make a record of the money collected; and

(2) turn it over to the treasurer of state.

(d) The treasurer of state shall deposit the money in the abandoned property fund established by ~~IC 32-34-1-31~~ **IC 32-34-1-33**."

(Reference is to SB 80 as printed January 15, 2021.) and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

TORR, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred Senate Bill 137, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 13 through 18, begin a new paragraph and insert:

"(d) The board shall post the minutes of a meeting on the board's Internet web site not later than ten (10) days after the minutes are approved by the board."

Page 4, delete lines 13 through 16, begin a new paragraph and insert:

"(d) The board of directors of a subsidiary corporation established under this section shall post the minutes of a meeting on the subsidiary corporation's Internet web site not later than ten (10) days after the minutes are approved by the board of directors."

(Reference is to SB 137 as printed January 12, 2021.) and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

DEVON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Concurrent Resolution 19, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said resolution do pass.

(Reference is to HC 19 as printed March 1, 2021.)

Committee Vote: Yeas 9, Nays 0.

PRESSEL, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Concurrent Resolution 20, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said resolution do pass.

(Reference is to HC 20 as printed March 1, 2021.)

Committee Vote: Yeas 9, Nays 0.

PRESSEL, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Concurrent Resolution 21, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said resolution do pass.

(Reference is to HC 21 as printed March 1, 2021.)

Committee Vote: Yeas 9, Nays 0.

PRESSEL, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Concurrent Resolution 22, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said resolution do pass.

(Reference is to HC 22 as printed March 1, 2021.)

Committee Vote: Yeas 9, Nays 0.

PRESSEL, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Concurrent Resolution 23, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said resolution do pass.

(Reference is to HC 23 as printed March 1, 2021.)

Committee Vote: Yeas 9, Nays 0.

PRESSEL, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Concurrent Resolution 6, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said resolution do pass.

(Reference is to SC 6 as printed February 22, 2021.)

Committee Vote: Yeas 9, Nays 0.

PRESSEL, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Concurrent Resolution 7, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said resolution do pass.

(Reference is to SC 7 as printed February 22, 2021.)

Committee Vote: Yeas 10, Nays 0.

PRESSEL, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Concurrent Resolution 8, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said resolution do pass.

(Reference is to SC 8 as printed February 22, 2021.)

Committee Vote: Yeas 9, Nays 0.

PRESSEL, Chair

Report adopted.

INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill List 14 were read a first time by title and referred to the respective committees:

SB 17 — Speedy, Miller D, Cook

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning property.

SB 20 — Morrison

Committee on Commerce, Small Business and Economic Development

A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 28 — Slager, Olthoff, Aylesworth

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 30 — Slager, Aylesworth

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 55 — Teshka

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 69 — Slager, Pressel

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 72 — Slager, Aylesworth

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 78 — Steuerwald

Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 91 — Frye R, Zent

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning public safety and to make an appropriation.

SB 131 — Vermilion, Davisson, Pressel

Committee on Financial Institutions and Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 141 — Behning, Speedy

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

SB 143 — Lehman, Carbaugh, Clere, Shackelford

Committee on Financial Institutions and Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 144 — Smaltz, Mayfield

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

SB 152 — McNamara, Prescott

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

SB 158 — Pressel

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 169 — Vermilion, Porter, Johnson

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

SB 186 — Steuerwald

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 188 — Young J

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning property and to make an appropriation

SB 196 — Cook, DeVon

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 198 — Behning

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 200 — Young J, McNamara

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 201 — Young J, Lucas

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 205 — DeVon, Behning, Goodrich

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 213 — Sullivan, Brown T

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 214 — Leonard

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 215 — Sullivan, Heine

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

SB 236 — Errington, Zent, Clere, Moed

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 244 — Brown T, Lehman

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 245 — Smaltz

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

SB 251 — Goodrich, Behning

Committee on Employment, Labor and Pensions

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 257 — Karickhoff, Hatfield, Bauer M

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 259 — Clere, Porter, Andrade

Committee on Family, Children and Human Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 261 — Carbaugh, Heaton

Committee on Financial Institutions and Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

SB 276 — Young J, Hatfield, Cook

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning probate.

SB 281 — Teshka, Miller D

Committee on Government and Regulatory Reform

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

SB 292 — Shackelford, Clere

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 301 — DeVon, Vermilion, Lauer

Committee on Family, Children and Human Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 303 — McNamara

Committee on Environmental Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 311 — Bartels

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 324 — Carbaugh

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

SB 325 — Manning

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 333 — Behning

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 342 — Manning, Schaibley

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 349 — Soliday, Pressel

Committee on Utilities, Energy and Telecommunications

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

SB 352 — Manning

Committee on Utilities, Energy and Telecommunications

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

SB 353 — Wesco

Committee on Elections and Apportionment

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 357 — Teshka

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

SB 358 — Behning, DeVon, Teshka

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 359 — Manning

Committee on Utilities, Energy and Telecommunications

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 361 — Mayfield

Committee on Employment, Labor and Pensions

A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 364 — Heine

Committee on Agriculture and Rural Development

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

SB 365 — Schaibley

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

SB 366 — Davisson, Vermilion, Ziemke

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 368 — McNamara, Pierce, Steuerwald, Hatcher

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 373 — Lehe, Abbott

Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

SB 377 — Soliday

Committee on Utilities, Energy and Telecommunications

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

SB 380 — Steuerwald

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

SB 381 — Brown T, Lehe

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 383 — Brown T

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 392 — Behning, Jeter, Speedy

Committee on Government and Regulatory Reform

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 396 — Frye R

Committee on Employment, Labor and Pensions

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 407 — Lehman

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

SB 409 — Slager, Aylesworth, Olthoff

Committee on Government and Regulatory Reform

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 413 — Behning, Prescott

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 414 — Behning, Cook

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 416 — Morrison, Baird

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

ENGROSSED SENATE BILLS ON SECOND READING

Engrossed Senate Bill 2

Representative Slager called down Engrossed Senate Bill 2 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 2–2)

Mr. Speaker: I move that Engrossed Senate Bill 2 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 20-26-5-40.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 40.8. (a) The department shall, in collaboration with the state board, conduct a learning loss study regarding students in kindergarten through grade 10 for the 2020-2021 school year and the 2021-2022 school year. The department shall prepare a report regarding the 2020-2021 school year and a report regarding the 2021-2022 school year that includes the findings of the study for that particular school year.**

(b) Not later than December 1, 2021, the department shall submit the report regarding the 2020-2021 school year and not later than December 1, 2022, submit the report regarding the 2021-2022 school year to the:

- (1) governor;**
- (2) state board; and**
- (3) legislative council in an electronic format under IC 5-14-6.**

(c) This section expires January 1, 2023."

Page 2, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 3. [EFFECTIVE UPON PASSAGE] **(a) The legislative council is urged to assign to an appropriate study committee for the 2022 interim and the 2023 interim the task of studying the information in the reports submitted by the department under IC 20-26-5-40.8, as added by this act.**

(b) This SECTION expires January 1, 2023."

Renumber all SECTIONS consecutively.

(Reference is to ESB 2 as printed March 1, 2021.)

PFAFF

Motion withdrawn.

HOUSE MOTION (Amendment 2–1)

Mr. Speaker: I move that Engrossed Senate Bill 2 be amended to read as follows:

Page 2, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 2. [EFFECTIVE UPON PASSAGE] **(a) The department of education shall conduct a study to examine what constitutes adequate funding for kindergarten through grade 12 education in the state for students who, as a class, meet the eligibility requirements for the complexity index as determined under IC 20-43-13-4.**

(b) Not later than December 1, 2021, the department of

education shall submit a report of the study to the legislative council. The report to the legislative council must be in an electronic format under IC 5-14-6.

(c) This SECTION expires January 1, 2022."

Renumber all SECTIONS consecutively.

(Reference is to ESB 2 as printed March 1, 2021.)

PORTER

Motion withdrawn. The bill was ordered engrossed.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representatives Davis and Goodrich be added as coauthors of House Concurrent Resolution 18.

PRESCOTT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Baird be added as coauthor of House Concurrent Resolution 23.

PFAFF

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolution 17 and the same is herewith returned to the House.

JENNIFER L. MERTZ

Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 12 and the same is herewith transmitted to the House for further action.

JENNIFER L. MERTZ

Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate Bills 17, 20, 28, 30, 69, 91, 141, 143, 144, 152, 158, 186, 188, 196, 200, 201, 205, 236, 245, 259, 292, 301, 303, 311, 324, 325, 333, 349, 352, 358, 365, 366, 368, 377, 380, 381, 396, 407, 413, 414 and 416 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ

Principal Secretary of the Senate

On the motion of Representative Hamilton, the House adjourned at 10:51 a.m., this fourth day of March, 2021, until Monday, March 8, 2021, at 1:30 p.m.

TODD M. HUSTON

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives